

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

JORGE V MELENDEZ PADILLA

Case No. 10-07621-SEK

CARMEN M CINTRON CRUZ

Chapter 13

Attorney Name: JOSE PRIETO CARBALLO ESQ*

I. Appearances

Debtor ☒ Present ☐ Absent
Joint Debtor ☒ Present ☐ Absent
Attorney for Debtor ☒ Present ☐ Absent
☐ Pro-se
☐ Substitute _____

Date: September 21, 2010

Time: 3:30 Track: 008
☒ This is debtor(s) 1 Bankruptcy filing.

Liquidation Value:

Creditors

II. Oath Administered

☒ Yes ☐ No

III. Documents Filed/Provided

☒ Schedules
☒ Statement of Financial Affairs (SOFA)
☒ Statement of Current Monthly Income (SCMI)
☒ Credit counseling briefing certificate (CCC)
☐ Waiver requested by debtor(s)
☐ DSO Certificate

☐ DSO Recipient's information
☒ State Tax Returns Dec-09 ☒ Returned
☒ Federal Tax Returns 06-09 ☒ Returned
☐ Evidence of income (60 days prior to petition)

IV. Status of Meeting ☒ Closed ☐ Not Held ☐ Continued _____ at _____

V. Trustee's Report on Confirmation

☐ FAVORABLE
☒ UNFAVORABLE

☐ Feasibility
☐ Insufficiently funded
☐ Unfair discrimination
☐ Fails liquidation value test
☐ Fails disposable income test (I & J)
☐ No provision for secured creditor(s)

☐ No DSO certificate (Post-petition)
☒ Evidence of income June, July, August last week of May 2010
☐ Missing ☐ Incomplete
☐ Stmt. of Current Monthly Income
☐ Incomplete ☐ Missing
☐ Fails commitment period ☐ Fails Disp. Income
☐ Certificate of Credit briefing
☐ Missing ☐ More than 180 days
☐ Issuer not certified by U.S.T.
☐ Incomplete schedules
☐ Incomplete S.O.F.A.
☐ Other: _____

☐ Treat value of collateral separately
☐ No provision for insurance
☒ Tax returns missing
☒ State - years 2008
☐ Federal - years _____

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VI. Plan

Date: August, 19, 2010 Base \$ 15,000.00 [X] Filed Evidence of Pmt shown: Personal check (Cont.)
Payments 0 made out of 1 due. [] Not Filed \$280.00

VII. Confirmation Hearing Date: October, 15, 2010

VIII. Attorney's fees as per R. 2016(b)
\$3,000.00 - \$ 326.00 = \$ 2,674.00

IX. Documents to be provided w/in ____ days

- | | |
|---|---|
| <input type="checkbox"/> Amended schedules _____ | <input type="checkbox"/> Amended S.O.F.A. _____ |
| <input type="checkbox"/> Insurance estimate _____ | <input type="checkbox"/> Amended plan _____ |
| <input type="checkbox"/> Assumption/Rejection executory contract _____ | <input type="checkbox"/> Business Documents _____ |
| <input type="checkbox"/> Appraisal _____ | <input type="checkbox"/> Monthly reports for the months _____ |
| <input type="checkbox"/> State tax returns years _____ | <input type="checkbox"/> Public Liability Insurance _____ |
| <input type="checkbox"/> Federal tax returns years _____ | <input type="checkbox"/> Premises _____ |
| <input type="checkbox"/> Correct SS # (Form B21) _____ | <input type="checkbox"/> Vehicle(s) _____ |
| <input type="checkbox"/> Debtor <input type="checkbox"/> Joint debtor _____ | <input type="checkbox"/> Licenses issued by: _____ |
| <input type="checkbox"/> Other: _____ | _____ |
| _____ | _____ |
| _____ | _____ |

- ☐ M.T.D. to be filed by Trustee: Debtor(s): ☐ failed to appear; ☐ failed to commence payments;
☐ failed to keep payments current; ☐ does (do) not qualify as a debtor (§109); _____
☐ Other: 2009 tax refund 2,373 plus \$403

COMMENTS

1) Debtor will inform PAN the new income, they have approved until this month. TO inform status, provide evidence of it and Amend Schedule 2. 2) Amend S.O.F.A. to include PAN income, since 2009 (February); 3) TO include employer information - Buchanan Warehouse at Schedule 7;

Trustee/Presiding Officer

Amend J new mortgage payment of \$197.00.

Date: September 21, 2010

(Rev.

Amend plan to devote only 50% tax refund